



FREMONT PLANNING BOARD
July 2, 2014
Meeting Minutes

Present: Chairman Roger Barham, Vice-Chairman John (Jack) Karcz, Members Jack Downing and Andrew Kohlhofer, Selectman Brett Hunter, Alt. Phillip Coombs, Building Official Bob Meade, and Land Use AA/Recording Secretary Meredith Bolduc.

Mr. Barham opened the meeting at 7:00 pm.

At the August 7, 2013 meeting Mr. Barham designated Alt. Coombs to fill a vacancy on the Board until the Board of Selectmen fills the vacancy, as allowed by RSA 673:12, III. This designation remains in effect.

MINUTES

Mr. Karcz made the motion to approve the minutes of the June 18, 2014 meeting as written. Motion seconded by Mr. Downing with unanimous favorable.

DAN PERRY/SCRIBNER ESTATES

Map 2 Lot 001

A letter has been sent to Mr. Perry advising him that his bond amount needs to be amended from the previous amount of \$130,800 to the current estimate of \$144,900 per Caron Engineering's recent bond estimate.

BUILDING INSPECTOR

Mr. Meade submitted his end-of-month report for June which included permits for 1 new home, 2 barns, 2 pools, 1 shed, 1 deck, 11 renovation permits, and 20 trade permits.

Wearing course pavement: Town Engineer Dan Tatem has advised that he recommends wearing course be placed within 2 or 3 years of binder. There is a process that should be followed to properly place the wearing course, including crack repair, cleaning and applying a tack coat.

Gristmill: He received a call from someone who has put a purchase and sales agreement on the 1st lot in the 2nd phase in Gristmill. It is his understanding that no permits can be issued on phase 2 until the road to phase 3 is finished. There was a conversation relative to the status. There needs to be research to establish the status of the phases of construction

Christopher Fuhs - 16 Beede Hill Road: Mr. Fuhs seems to have toned down his yard sale sign placements for now.

Sandown Road/107: He has contacted owner owners of a sandwich sign on the median island at

the beginning of Sandown Road advertising a barn sale in Sandown relating that the sign and its placement are against Fremont's sign ordinance.

Jeremy Danley - 35 Main Street: A letter will go out to Mr. Danley relative to a sign on a tree advertising his interior demolition business.

This prompted a conversation relative to the need for some sort of regulation relative to signs and the sale of merchandise.

YARD SALE ORDINANCE

As a result of research by Mrs. Rowden she offered the following via a June 19, 2014 e-mail message.

1. *Put language into the zoning ordinance that allows yard sales (and yard sale signs) as long as the frequency is limited. For example, Lebanon defined in the zoning ordinance as a use that is not regulated by the ordinance unless it exceeds two consecutive days or occurs two times in a calendar year. If so, it requires a zoning permit and is subject to regulations in the zoning ordinance.*

I would recommend that this be handled in Fremont by amending the home occupancy ordinance and the sign regulation to put restrictions on the number of sales per year and the number of days the sale can occur. This route would need to go to town vote.

2. *The restriction could be a selectman ordinance, which would be faster to implement. In some towns a permit is required from the Police or Building Department, sometimes at a cost of \$5 to \$25. On the permit it states the dates the sale may occur (usually 2 days), and that only a certain number of permits can be issued for a single property per year (usually two to four "sales" per year). There is sometimes a requirement that any signs be taken down once the permit expires.*

There was a conversation relative to Mrs. Rowden's suggestions. Mr. Barham suggested that sign restrictions and thresholds for the sale of items could be added to the Home Occupation ordinance. Mr. Hunter said he was leaning more toward a Selectmen's ordinance which a majority of the Board agreed with.

Mr. Coombs said that there are circumstances (possibly through inheritance or overabundance) where someone needs to put several items out for sale, possibly on an ongoing basis for a while. This prompted a discussion relative to whether a permit would be needed in that instance. There was a conversation relative to signs and merchandise that are being placed within the State or Town right-of-way. Not only is this in violation of the sign ordinance, but it becomes a safety hazard. Mr. Coombs suggested that if an event becomes a public safety issue the police should be involved.

It was agreed that the main target for yard sale permitting would be 1) perpetual yard sales and signs; 2) signs for out of town events; and 3) to ensure public safety. The Members also agreed that there should be no permit fee.

Mr. Karcz made the motion to request the selectmen create a yard sale ordinance. Motion seconded by Mr. Coombs with unanimous favorable vote.

Planning Board suggestions for some conditions for yard sale permits include:

- No fee
- Up to 5 yard sales (for 2 consecutive days) per year allowed without a permit.
- Permit required for 6 – 10 yard sales per year.
- More than 10 yard sales per year is considered a commercial operation and triggers the need for site plan review with the Planning Board.
- No signs or merchandise shall be allowed in the Town or State right of way.
- Signs shall be removed upon completion of the yard sale.

Mr. Hunter said he will bring this issue up to the other Selectmen.

JACOB'S COVE / JAKE DONIGIAN
Map 1 Log 098-1

The Board had previously received a May 23, 2014 construction status update letter from Town Engineer Dan Tatem (pictures were provided) stating that Mr. Donigian's site is in noncompliance with the stabilization requirements specified on the approved plans and as required by the NHDES Alteration of Terrain permit issued for the Jacob's Cove project. Mr. Donigian was notified of Mr. Tatem's finding.

This morning Mr. Donigian submitted photos to show that he has addressed the stabilization requirements specified on the approved plans and by the NHDES Alteration of Terrain permit issued for the Jacob's Cove project. Photo #1 showed the processed pile of material, #2 showed the landscape to the drain, #3 showed the slope, #4 showed more of the processed pile of material, #5 showed the fill pile with the silt fence in place, #6 showed more of the landscape to the drain as in photo 2, #7 showed the slope going to the drain. Photos #8 – 11 show the slopes around the circle.

Mr. Downing said the pictures do not show the equipment and piles of material are on the site. Mr. Karcz said the road should be bonded if Mr. Donigian is not going to finish it. Mr. Meade said there can be no occupancy permits if the road is not built or bonded. It was noted that there is an extension of the "build or bond" condition of the subdivision approval in place until November 1, 2014.

Mrs. Bolduc said she sent Mr. Donigian's pictures to Mr. Tatem and asked him if he is satisfied that he is now in compliance with the stabilization requirements. Mr. Tatem has not responded yet. Mr. Barham asked if the Board wants to visit the site or leave it to the Engineer. Mr. Downing said it should be left to the Engineer and the Members collectively agreed.

Mr. Barham said there are 2 issues being discussed here: 1) stabilization requirements and 2) site construction.

Mr. Donigian is scheduled to meet with the Board on July 16, 2014 to answer any questions the Members may have relative to the stabilization issues.

MASTER PLAN

Growth Control Chapter

Mrs. Rowden submitted an updated draft of the Growth Management Chapter via e-mail which was forwarded to all Members. The updates included the school enrollment numbers and the school portion of the taxes.

Mr. Kohlhofer said the chapter says in several places that growth costs the Town more. He noted that growth cannot be stopped, but it can be managed. Mr. Barham said he feels Fremont's growth is manageable and no action is needed at this time, but may need to be reviewed in ten years or so.

The Board discussed the Corporate Commercial and Commercial Highway districts. Mr. Coombs said we need to be asking what the Town can do to make those areas more inviting for business to locate here. Mr. Karcz wondered what it would cost to hire someone to look at where another road could be built for access to the Corporate Commercial District. There was a conversation relative to creating a business development committee and/ or an economic development committee to look into business development options. Mr. Barham reminded the Members that there were meetings in the past with several landowners in the Corporate Commercial District and only 3 were interested in developing.

Mr. Kohlhofer suggested looking for a grant to help with economic development. Mrs. Bolduc will contact Mrs. Rowden to seek economic development grant resources.

The Growth Management Chapter of the Master Plan will be on the agenda to discuss at the next meeting.

CIP

There was no update at this time.

DES

Mr. Meade reported that Eben Lewis of DES is scheduled to meet with him tomorrow to visit 25 Kingman Court regarding filling of wetlands and he will also visit 191 Main Street to check on a path that has been constructed to the river.

INCOMING CORRESPONDENCE

There was no incoming correspondence.

Mr. Karcz made the motion to adjourn at 9:00 pm.

Motion seconded by Mr. Coombs with unanimous favorable vote.

Next regular meeting: July 16, 2014.

Due to scheduling conflicts the Board agreed to move the August 6, 2014 to July 30, 2014.

Respectfully submitted,

Meredith Bolduc, Land Use AA/Recording Secretary

ACTION ITEMS

From June 18:

Bolduc

- Draft and send a letter to Dan Perry relative to increasing the LOC for Thunder Road. Completed.
- Forward the Blocker/Cardwell lot merger forms to the Selectmen for signatures and then to the RRD for recording. Completed.

Rowden:

- Research and submit recommendation options on yard sale sign changes in the Zoning Regulations and/or Selectmen's ordinance. Completed.

From July 2:

Bolduc

- Contact Mrs. Rowden to seek economic development grant resources.

LEGISLATIVE BILLS

The following bills are among those introduced for the 2014 Legislative Session. Mrs. Bolduc will follow these bills and report any results to the Board.

House Bill 1210: This bill would require written notification of any zoning changes or amendments to abutters or anyone whose land would be affected. It reads in part:

Any person owning property in the municipality may request notice of all public hearings on proposed amendments to the zoning ordinance, and the municipality shall provide notice, at no cost to the person, electronically or by first class mail. If a proposed amendment to a zoning ordinance would change a boundary of a zoning district and the change would affect 100 or fewer properties, notice of a public hearing on the amendment shall be sent by first class mail to the owners of each affected property. If a proposed amendment to a zoning ordinance would change the minimum lot sizes or the permitted uses in a zoning district that includes 100 or fewer properties, notice of a public hearing on the amendment shall be sent by first class mail to the owner of each property in the district.

House Bill 114: This bill would allow Planning Boards to use their discretion in requiring a landowner subdividing their property grant a right of way to their neighbor if the neighbor's property is landlocked.

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 Approved July 16, 2014

PROJECTS PENDING/COMPLETED WITH RPC

- CIP Annual Process - Funded with the 2010 Targeted Block Grant (TGB); completion date of June 30, 2010. Paid Towns share of **\$1,000** in December 2009. Pending as of this date.
- Provide one (1) final paper copy and one (1) electronic version of the updated MP. Provide one (1) final copy of all elements of the CIP annual update process- Funded with the 2010 Targeted Block Grant (TGB); completion date of June 30, 2010. Paid Towns share of **\$1,000** in December 2009. Pending as of this date.
- Energy Chapter of MP – Funded through the Energy Technical Assistance Program (ETAP) (no Town cost-share). Completion date of April 30, 2012. Pending as of this date.
- Growth Control Chapter of MP – Funded through the 2013 Targeted Block Grant (TGB); Completion date of June 30, 2014.

Updated project timeline table below. **RPC**

Projects Non-CTAP	Status	2010 30 June	2012 April 30	2012 June 30	2014 June 30
CIP Process Submittal Materials (2010 TBG)	Pending	Contracted Completion Date			
1 final copy of updated MP, CIP elements (2010 TBG)	Pending	Contracted Completion Date			
MP Energy Chapter	Pending		Completion date		Contract Completion Date
MP Growth Control Chapter	Pending				Contract Completion Date